

*Joe Bustillos*

## CHECKLIST FOR EVALUATING EDITORIALS

1. Have the ground rules for writing in course been followed?
  - a. Are opinions based upon a substratum of fact? *H=+/+/-*
  - b. Is the purpose statement and primary sources properly listed? *H=+/+/-*
  - c. Is copy presented ready for publication?  
(two copies/headline written) *D=+/+/-*
  - d. Is subject matter appropriate for local audience? *H=+/+/-*
  - e. Have A.P. rules been applied? *D=+/+/-*
  - f. Has editorial been carefully revised and edited? *H=+/+/-*
  - g. Is editorial within 250-750 word limit? *H=+/+/-*
  - h. Was editorial submitted at time specified? *H=+/+/-*
2. Content and structural characteristics of the editorial
  - a. Is the subject of editorial clearly stated? *H=+/+/-*
  - b. Is the opening paragraph effective?  
(thesis/exordium/narrative/partition) *H=+/+/-*
  - c. Is "proof structure" used effectively? *H=+/+/-*
  - d. Is a meaningful focus, emphasis, and/or frame of reference maintained? *H=+/+/-*
  - e. Is the order of presentation effective? *H=+/+/-*
  - f. Is a two-sided argument used effectively? *H=+/+/-*
  - g. Does the conclusion follow from the arguments? *H=+/+/-*
  - h. Is the conclusion explicitly stated? *H=+/+/-*
3. Are the traditional techniques of persuasion used effectively?
  - a. Are the common fallacies of logic avoided?  
(oversimplification/equivocation/circular argument/begging the question/complex question/ad populum) *H=+/+/-*
  - b. Is the appeal employed used effectively?  
(to reason/to the emotions/other appeal) *H=+/+/-*
  - c. Are the arguments presented clear and persuasive?  
(nature of a thing/cause and effect/personal testimony/literary reference) *H=+/+/-*
  - d. Is repetition with variation used effectively?  
(parallelism/enumeration/questions/labels) *H=+/+/-*
  - e. Is the tone and/or approach appropriate? *H=+/+/-*
  - f. Are literary devices employed effectively? *H=+/+/-*
4. Finally, how effective is the editorial as persuasion?
  - a. Does it illuminate the subject or issue? *H=+/+/-*
  - b. Does the editorial take a stance, offer a reasonable solution, etc.? *H=+/+/-*
  - c. Does it indicate the reasons for the views expressed? *H=+/+/-*
  - d. Is it likely to reinforce or change attitudes? *H=+/+/-*
  - e. Does it have something worthwhile to say? *H=+/+/-*

Joe Bustillos  
September 27, 1990  
Editorial to explain/inform: Obscenity

*Title 2.*

"OBSCENE: disgusting to the senses, repulsive; abhorrent to morality or virtue, specifically: designed to incite to lust or depravity." Webster's New Collegiate Dictionary

What is Obscene? Is the graphic depiction of the male genitalia intrinsically obscene? Cincinnati's Citizens for Community Values seems to think so.

As a result of the group's protests that city's Contemporary Arts Center and its director will stand trial this week on two misdemeanor counts each of pandering obscenity and using children in nudity-oriented material. The material that has so warmly attracted the attention of this group is the late Robert Mapplethorpe photographs.

Mapplethorpe's photographs, which depict sadomasochistic acts and homosexual poses, attracted national attention last year when the Corcoran Gallery in Washington, D.C., canceled a showing because of opposition led by Sen. Jesse Helms (R-N.C.).

So what is obscene? L.A. Times writer, Eric Harrison, calls some of the Mapplethorpe photographs shocking but adds that they are hardly the kind of material to be found in any issue of "Hustler" magazine.

So what is obscene?

"I can't define it, but I know it when I see it," Supreme Court Justice William J. Brennan.

*Two good  
good stuff*

Justice Brennan's "difficulty" points to the central problem regarding obscenity issues: obscenity is often a matter of individual opinion. Much of what might be considered "obscene" by one segment of the population is likely to be considered "art" by another. A corollary consideration is that an "art work" might be wholly offense in some sense and yet not be obscene.

Maneuvering around this quagmire of conflicting opinions is only partially aided by the current 4-part legal definition for obscenity. Following the 1973 Miller v. California decision, the following tests for obscenity must be met before a work can be considered legally obscene: (1) "Whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest"; (2) it describes sexual conduct in a "patently offensive" way; (3) the work, taken as a whole, lacks serious literary, artistic, political or scientific value; (4) "community standards" could be local and vary from place to place but "literary, artistic, political or scientific value" is to be based on a broader perspective. In 1982 the court ruled that sexually explicit scenes involving children regardless of the literary merit or non-obscene nature are not protected by the First Amendment and subject to state regulations.

When Cincinnati vice officers arrived to shut down the Mapplethorpe display, Police Chief Lawrence Whallen and Hamilton County Sheriff Simon Leis stated publicly that some of the photographs were in their opinion criminally obscene. The

juxtaposition of the words "opinion" and "criminally obscene"  
should not be overlooked.

Obscenity: "Whatever happens to shock some elderly and  
ignorant magistrate." Bertrand A. Russell

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**Thesis:** What is Obscenity? It is largely a matter of opinion (legal and otherwise).

**Resource List:**

Eugene E. Brussell, Webster's New World Dictionary of Quotable Definitions.

Eric Harrison, "Museum Censorship Is Focus at Mapplethorpe Photo Trial," Los Angeles Times, p. A3, 09/23/90

Wayne Overbeck and Rick Pullen, Communications Law - Spring 1990: A Survey of Mass Media Law Today.

Webster's New Collegiate Dictionary, 1973.

*Joe  
The introduction is and  
effective one. Well executed.  
good  
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